

**Utility Patent
Ser. No. 09/511,527**

enclosure includes an activation means located on a front panel thereof to facilitate operation of said personal safety signaling apparatus, and wherein said activation means is prevented from accidental triggering via an activation means cover guard.

7. New The personal safety signaling apparatus of claim 4, further comprising:

a traditional pager enclosure, said traditional pager enclosure adapted so as to enclose said personal safety signaling apparatus, wherein said traditional pager enclosure incorporates an activation means located on a front panel thereof to facilitate operation of said personal safety signaling apparatus, and wherein said activation means is prevented from accidental triggering via an activation means cover guard.

REMARKS

Reconsideration of the application as amended is respectfully requested.

Please accept new Claims 6 and 7.

The examiner respectfully rejected Claims 1-5 under 35 U.S.C. § 102(b) as being anticipated by Sheffer ('419).

In undertaking to determine whether one reference anticipates another under 35 U.S.C. 102(b), a primary tenet is that the reference must teach every element of the claim. "A claim is

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anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the . . . claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Numerous differences exist between the invention claimed in Sheffer and the currently claimed invention. Sheffer teaches a tracking system for tracking a portable or mobile phone unit which utilizes an array of fixed wireless signal transceivers forming part of a wireless telephone system.

However, Sheffer fails to teach numerous elements and features taught by the present invention. These include: a first wireless link capable of communicating the presence of the emergency radio signal to a central monitoring station *via a land based link*; and a traditional pager enclosure which encloses the personal safety signaling apparatus, wherein such enclosure includes an activation means located on a front panel thereof to facilitate operation of said personal safety signaling apparatus, and wherein said activation means is prevented from accidental triggering via an activation means cover guard.

Therefore, in view of the aforementioned differences between Sheffer and the present invention, the examiner's rejection of Claims 1-5 under 35 U.S.C. § 102(b) is inappropriate.

Moreover, in view of foregoing amendments and clarifications, the applicant submits that allowance of the present application and all remaining claims, as amended, is in order and is requested.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "P. Jeff Martin".

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